The Minutes

September 6, 2004

There were no minutes for this date.

September 7, 2004

C042320 THE PEOPLE v. SMITH (Not for Publication)

The judgment is affirmed.

RAYE, J.

We concur: Nicholson, Acting P.J.

Hull, J.

C044464 THE PEOPLE v. SOM (Not for Publication)

The convictions for counts 3, 5 and 6 are reversed and their related enhancements vacated. The judgment is otherwise affirmed. The trial court is directed to prepare an amended abstract of judgment and to forwad a certified copy to the Department of Corrections.

DAVIS, J.

We concur: Scotland, P.J.

Nicholson, J.

C044496 THE PEOPLE v. SANTIFER (Not for Publication)

The judgment of conviction and sentence are affirmed.

BLEASE, Acting P.J.

We concur: Davis, J.

Robie, J.

C045384 THE PEOPLE v. SELF

BY THE COURT:

Appellant's petition for rehearing is granted. The decision filed on August 10, 2004, is vacated. Pursuant to rule 25(b)(2) of the California Rules of Court, the court requests respondent serve and file an answer to the petition for rehearing on or before September 27, 2004.

BLEASE, Acting P.J.

September 8, 2004

C042559 THE PEOPLE v. HUFTILE (Not for Publication)

The judgment (order) of commitment is affirmed.

HULL, J.

We concur: Davis, Acting P.J.

Nicholson, J.

The Minutes

September 8, 2004, continued

THE PEOPLE v. CARDOSO (Not for Publication) C043438

The judgment is affirmed.

DAVIS, J.

Blease, Acting P.J. We concur:

Robie, J.

THE PEOPLE v. WINKELSPECHT C046242 (Not for Publication)

> The judgment is affirmed. SCOTLAND, P.J.

We concur: Nicholson, J.

Butz, J.

C046678 THE PEOPLE v. NEWSOM (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We concur: Nicholson, J.

Butz, J.

C044691 CHUKS-ORJI v. BOB (Not for Publication)

The judgment is affirmed. Bob shall recover costs on appeal.

RAYE, J.

Davis, Acting P.J. We concur:

Morrison, J.

C044936 RAMOS OIL COMPANY v. FIDELITY NATIONAL TITLE AGENCY OF (Not for Publication)

NEVADA, INC.

The judgment is affirmed.

HULL, J.

We concur: Raye, Acting P.J.

Robie, J.

C045374 VALLIS v. COLLINSON et al. (Not for Publication)

The judgment is affirmed.

DAVIS, Acting P.J.

We concur: Morrison, J.

Hull, J.

In re JAKE H.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND C045758

HUMAN SERVICES v. GREGG H. (Not for Publication)

The order is affirmed.

DAVIS, J.

We concur: Blease, Acting P.J.

Butz. J.

The Minutes

September 8, 2004, continued

C045798 SUTTER DAVIS HOSPITAL v. THE SUPERIOR COURT OF YOLO COUNTY and JOHNSON (Not for Publication)

Let a peremptory writ of mandate issue, directing the trial court to vacate its order and to enter a new order in favor of Sutter. Having served its purpose, the alternative writ is discharged, and the stay previously issued by this court is vacated upon the finality of this opinion. The parties shall bear their own costs in this writ proceeding. (Cal. Rules of Court, rule 56.4(a).)

SCOTLAND, P.J.

We concur: Blease, J.

Sims, J.

C043447 THE PEOPLE v. MARLIN

BY THE COURT:

Good cause appearing, submission of the above-entitled matter is vacated.

The court directs the parties to file supplemental briefs on the following issues...

... Both parties' supplemental briefs are due to be filed on or before October 8, 2004.

NICHOLSON, Acting P.J.

September 9, 2004

C044506 THE PEOPLE v. COXE (Not for Publication)

The judgment is affirmed.

BUTZ, J.

We concur: Scotland, P.J.

Hull, J.

C039628 MELLO v. KLITH et al. (Not for Publication)

The judgment is affirmed. Defendants Stuart and Sierra Pines shall recover costs on appeal. (Cal. Rules of Court, rule 27(a).)

RAYE, J.

We concur: Scotland, P.J.

Hull, J.

C043923 THE PEOPLE v. DARBY

BY THE COURT:

Appellant's petition for rehearing is granted. The decision filed on August 16, 2004, is vacated.

DAVIS, Acting P.J.

The Minutes

September 9, 2004, continued

C045963 THE PEOPLE v. ORIHUELA

(Certified for Publication)

THE COURT:

The opinion filed herein on August 19, 2004, was not certified for publication in the official reports. For good cause, it now appears that it should be published and it is so ordered.

FOR THE COURT:

BLEASE, Acting P.J. MORRISON, J. ROBIE, J.

C047031 SU

SU SALUD v. HARRIS, JR.

BY THE COURT:

The court examined the notice of appeal and determined that the order appealed from is nonappealable. Therefore, the appeal filed June 1, 2004, is dismissed. (Southern Pacific Co. V. Oppenheimer (1960) 54 Cal.2d 784, 786; Guillemin V. Stein (2002) 104 Cal. App. 4th 156, 161; DeGrandchamp v. Texaco, Inc. (1979) Cal. App.3d 424; 9 Witkin, Cal. Procedure (4th ed. 1997) Appeal, section 114, p. 179.)

SCOTLAND, P.J.

<u>September 10, 2004</u>

C037898 THE PEOPLE v. ARNOLD

(Not for Publication)

The judgment of this court, reversing the judgment of the trial court, was reversed by the Supreme Court for failure to give effect to defendant's waiver of his custody credits. The case was remanded to us for proceedings consistent with the Supreme Court's decision. Accordingly, we affirm the judgment of the trial court.

BLEASE, Acting P.J.

I concur: Nicholson, J.

C043494 THE PEOPLE v. O'ROY

(Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Raye, Acting P.J.

Morrison, J.

C043862 THE PEOPLE v. GOFF

(Not for Publication)

The judgment is affirmed.

RAYE, Acting P.J.

We concur: Robie, J.

Butz, J.

The Minutes

September 10, 2004, continued

C045886 In re A.O.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. C.B. (Not for Publication)

The order terminating appellant's parental rights is affirmed.

BUTZ, J.

We concur: Sims, Acting P.J.

Raye, J.

C042832 COLLINS et al. v. STATE OF CALIFORNIA et al.

BY THE COURT:

The petition for rehearing filed by respondents International Truck and Engine Corporation and Navistar International Corporation is denied.

BLEASE, Acting P.J.